

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENNETH HOLMES	:	CIVIL ACTION
	:	
vs.	:	
	:	
DAVID DIGUGLIELMO,	:	NO. 07-2886
SUPERINTENDENT, et al.	:	

ORDER

AND NOW, this 3rd day of October, 2007, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart, together with Petitioner's written Objections to the Report and Recommendation, it is **ORDERED** that:

1. The Petitioner's Objections to the Report and Recommendation are **DENIED**.
2. The Report and Recommendation is **APPROVED** and **ADOPTED**.
3. The petition for a writ of habeas corpus is **DISMISSED**.
4. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE